IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO.322 OF 2001

The Commisioner of Income Tax....Appellant

Versus

M/s.Balkrishna Industries Ltd. ..Respondent

Mr. A.D. Kango, for the Appellant
Mr. F.V. Irani with Mr.A.K. Jasani for respondent

CORAM : F.I. REBELLO &
R.S. MOHITE, JJ.
DATED : 17TH DECEMBER 2007

P.C.

. Appeal was preferred on the sole ground that the judgment of this Court in **Indo Nippon Chemicals Co. Ltd. vs. Commissioner of Income-tax** was to be contested before the Supreme Court.

2. On behalf of the respondent learned Counsel draws our attention to the judgment of the Supreme Court in **Commissioner of Income-tax vs. Indo Nippon Chemicals Co. Ltd.,261 ITR 275 (S.C.),** the judgment of this Court has been confirmed. In the light of that the question as raised would not arise. Appeal disposed of accordingly.

(R.S.MOHITE, J.) **(F.I. REBELLO, J)**